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Public Service Media and the Commons

Crossing Conceptual and Institutional Boundaries

Corinne Schweizer

Abstract

This chapter argues the value of the commons concept as a narrative for legitimating public service media in the digital age. The author outlines different institutional and conceptual boundaries that need to be crossed to realise this ideal in practice. After a short introduction of the concept as such, the chapter offers critical discussion of the approaches that have connected the commons notion to PSM. The essential contribution is a proposed framework consisting of five ways to look at PSM from a commons perspective. Each underscores vital challenges. The boundaries of particular importance are philosophical, structural and legal, as well as boundaries related to audience participation and the measurement of outcomes. The commons concept invites consideration of PSM as a civic alternative in an increasingly commercialised information environment. The framework provides a systematic means for improved understandings of key challenges today.

Keywords: public service media, commons, institutional boundaries, conceptual boundaries, PSM framework, legitimacy, civic alternative

Introduction

This chapter argues the value of the commons concept as a powerful narrative for legitimating PSM. I privilege a civic perspective that describes PSM as an alternative in an increasingly commercialised information environment, a role that can strengthen PSM's position (Trappel 2010). One problem in accomplishing this is especially important – institutional practices that contradict the notion. Based on research about the commons, specifically approaches that address PSM as such, this chapter identifies institutional boundaries that hinder the organisation from being a 'commons'. These boundaries must be overcome for the concept to be useful in legitimating PSM.

I first explain the commons concept and discuss how PSM can be linked with it, and then provide an overview of research literature about this connection. There is lack of agreement about how to describe and analyse PSM from a commons perspective, which indicates boundaries that won't be easily overcome by these organisations. I suggest five dimensions for examining PSM from a commons perspective that help

clarify the boundaries that must be crossed for a successful result. Before proceeding it is important to contextualise the discussion. The contextual feature of greatest importance for our analysis hinges on the transformation from PSB to PSM, which Lowe and Bardoel (2007) highlighted as a “core challenge”.

Public service broadcasters went online in the 1990s (Moe 2008a). By consolidating their online platforms since that time (Brevini 2013) they are no longer exclusively radio and television broadcasters and are usually denominated as public service media [PSM] organisations. This transition raises three issues of fundamental importance: 1) What should public enterprises be allowed to do online (Donders & Moe 2011; Latzer et al. 2010; Trappel 2010), and 2) should all of these activities be collectively financed (Picard 2006)? Further, 3) PSM is challenged to achieve more openness and greater opportunities for public participation (Lowe 2010).

Although legal frameworks in most countries approve PSM activities online, defining this as part of their role and scope in domestic remits, and condoning public funding to pay for these services (Brevini 2013), has spurred debate about the legitimacy of PSM. The debate over PSM legitimacy is much the same as nearly ten years ago (Bardoel 2008: 3954; Thomass 2007: 85). Following Suchman (1995: 574), legitimacy can be understood as a general perception that the actions of an entity are desirable, proper, or appropriate within some socially constructed system of norms, values, and beliefs. This suggests there is some lack of generalizability in perceptions about the transition to PSM. This perception is subjective and evolves continually and collectively to produce shared beliefs (*ibid.*). The on-going debate indicates there is not yet a shared belief among policy-makers, researchers and within civil societies about PSM's online activities, and thus its legitimacy is contested.

The commons concept

There are contrary perspectives on the need for PSM in the ‘digital age’ or era (Donders 2012: 25ff). One view is based on economic argumentation (largely a market failure perspective) that recommends either abolishing PSB all together because today's media environment is characterised by abundance rather than scarcity (see especially Elstein et al 2004 & Peacock 2004) or marginalising PSB by restricting its services to areas that are not profitable for commercial firms (e.g. Armstrong & Weeds 2007). The alternative perspective takes a cultural standpoint (a social democratic perspective) and supports PSB's online engagement (Donders & Pauwels 2010; Collins 2002), and thus advances the concept and practice of public service media (Moe 2008b; Bardoel & Lowe 2007; Steemers 2003). The concept of PSM as a ‘commons’ is rooted in this perspective (Donders 2012) and has been articulated by Graham Murdock (2005) and others (discussed below).

This commons concept is not often heard in public discourse about PSM, however, which indicates a conceptual boundary that has not been crossed. As argued here, it

should be. There are two ways to explain the presumed reluctance to interpret PSM as a commons. One obstacle is rooted in the term's historic association with the shared use of a natural resource. This goes back to collective arrangements for land use among medieval farmers. Researchers have applied this concept in analysis of other 'public' resources, especially including information, culture, and knowledge. This grounds analysis of a commons as something that has been "constructed" (Shaffer van Houweling 2007). This perspective is highly pertinent to debate about PSM because online distribution doesn't use a public resource, in contrast with broadcasting which relies on the use of electromagnetic spectrum. Thus, the historic argument that defended PSB on the basis of spectrum scarcity no longer easily applies, and this lack undercuts that premise for the commons argument.

A second obstacle hinges on uncertainty about how to interpret the concept or theory. While a neoclassical economic perspective suggests specific characteristics of a public good (e.g. Berg et al 2014), other social scientists and most lawyers equate the commons with goods in the public domain. This makes sense in application to PSM, but the uncertainty is problematic. In this chapter we follow the definition offered by Hess (2008: 37), who defined the commons as "a resource shared by a group where the resource is vulnerable to enclosure, overuse and social dilemmas". This accommodates the first obstacle by acknowledging resource vulnerability, and escapes the second by offering a clear interpretation of the concept.

The commons concept merits examination because it offers a "new language", and therefore alternatives for thinking about the issues involved (Bollier 2007: 28 & 31). According to Hess (2008: 39), characteristic features of the commons include co-operation, collaboration, sustainability, equity and interdependence, a perception of imminent enclosure, and the belief that appropriate rules are important to govern the use of such resources. This provides a reasonable basis for expanding the concept from its historic basis in "natural environmentalism" as a philosophical framework for "digital environmentalism" (Shaffer van Houweling 2007). As we shall see, understood in this light the commons ideal has strong potential as a basis for legitimating PSM.

The broad scientific exploration of the commons concept started in the mid-1980s. Various smaller-scale natural resources (forests, land, fisheries, water) were analysed by different disciplines or as interdisciplinary projects (Hess & Ostrom 2007: 6). Nobel Prize winner Elinor Ostrom (2008 [1990]) conducted institutional analyses that showed how groups are able to organise and collectively manage and sustain a shared resource. Her work is considered a direct answer to Garrett Hardin's (1968) controversial essay on the "tragedy of the commons", an argument supporting limits on human 'breeding rights' based in Thomas Malthus' idea that resources are finite but populations are not. In case studies Ostrom and her colleagues disproved Hardin's argument by demonstrating that rational human beings can collectively organise the commons to the benefit of all.

This concept was adapted to larger-scale environmental issues including the oceans, biodiversity, the atmosphere and use of the electromagnetic spectrum (Vogler 2000).

Such resources extend beyond a particular state's territorial boundaries and therefore must belong to everyone or to no one (Milun 2011: 5-6). Collective decision-making is therefore vital. Hess (2008: 32) sees these as aspects of a "global commons", the oldest and most established of what she calls "new commons". Based on a review of the literature, she offers a systematic overview of the various "new commons" (2008: 14-33) and, importantly, emphasises overlaps.

- **Infrastructure commons** are physical resource systems made by humans for public consumption, including transportation, communication, governance and public services. Here the need is for common access.
- The focus of **neighbourhood commons** is locations where people live in close proximity and come together to strengthen, manage, preserve, or protect a local resource. The threat is enclosure of public spaces.
- The vast literature on **knowledge commons** more precisely addresses the need for access to information, often in connection with democracy. The research is highly dispersed, from dealing with libraries to intellectual property rights, science, education, learning and peer production.
- Research on **culture commons** is concerned about a shared cultural heritage being endangered by privatisation and commodification – again, leading to restricted enclosure. This literature also deals with threats to local and indigenous people posed by a majority population.
- **Market commons** connect the notion of markets with sharing through the gift economy or peer production. This research also discusses what resources should not be commodified.
- **Health and medical care commons** matches the idea of public goods and private interests to address the general needs of a population for health welfare.

PSM has characteristics of four of these "new commons" proposed by Hess. PSM depends on a communication *infrastructure* for distribution. Spectrum frequencies, orbital positions for satellites, and internet protocols all require collective decision-making about usage. Furthermore, they comprise the communications infrastructure that enables public discourse and deliberation, for which access is of paramount importance. PSM organises mediated discourse primarily on the national level, which positions them as intermediaries between commons at the local (*neighbourhood*) and global levels. They also contribute to the public sphere that connects the global information society. PSM are a means for storing, preserving and (re)producing shared *culture and knowledge*.

Since 1995 scholars have seen a connection between digitally distributed information or knowledge and the commons (Hess & Ostrom 2007: 4). Social movements have used the commons paradigm to articulate rights-based claims that drive the notion's growing importance (Hess/Ostrom 2007b: 5 & 12). Stalder (2011: 29ff) notes three. The

“Free-Software-Movement”, founded by programmer Richard Stallman, which resists the commodification of software. Activists want computer software to be open for everyone to use, to share and to further develop as a result. The “Free Culture Movement” believes all members of a society should be able to participate in cultural production and take part in public life and discourse. The “Access-to-Knowledge-Movement” is concerned about an international public’s access to knowledge-intensive goods such as academic publications and licensed medicine.

The volume and variety of contents PSM enterprises deliver account for an impressive portion of culture and knowledge resources. The fundamental principle of universality means that PSM supports open access. A critical perspective would argue that PSM does not comply fully enough, however, because a truly shared culture would accommodate everyone as a producer and contributor, not only provide access to what professionals have made. As content distributed by PSB was accomplished in a top-down manner, a significant change is necessary for PSM to become a mature commons. Thus, there are inconsistencies that make attempts to connect PSM and the commons problematic.

Literature connecting PSM and the Commons

Although the commons perspective is not as well known in research about PSM as the public value concept, it has been used for description and analysis. Karen Donders (2012) mentions Murdock’s work (2005) as an often noted example of this perspective in application to PSM. There have been other attempts, mostly from British researchers discussing the future of the BBC. Here I shortly describe and compare these efforts, focusing on their description of PSM as a commons. I then offer a critical summary and highlight some important inconsistencies.

Murdock argued that PSM delivers cultural resources needed for everyday life. He listed five: information, knowledge, deliberation, representation and participation (Murdock 2005: 216-217). In his view, PSM must include the internet to fulfil their core mission because this creates additional possibilities for accessing cultural resources. He concluded that the BBC had taken steps in the right direction by offering message boards, links to further information, and the “Video nations project”, and by planning an electronic archive (Murdock 2005: 226-227). Steemers (2004: 10) mentioned Murdock’s approach in a short article on British policy papers published in the run-up to charter renewal in 2006 to support the idea of a Creative Archive for BBC content as pertinent to the commons concept in practice.

Murdock doesn’t see the public enterprise, and the content it produces, in isolation. He describes PSM as part of a national network of institutions providing cultural resources and thereby contributing to the cultural commons. This network includes other civil society organisations and public institutions such as libraries, museums and schools, as well as social groups and movements. All are linked by a “shared refusal of

commercial enclosure and [...] a commitment to free and universal access, reciprocity, and collaborative activity“ (Murdock 2005: 227). In his view PSM should be the host or “central node” in this network (Murdock 2001: 457).

Uuni From (2005) connected public broadcasting as such with a cultural commons. In contrast to Murdock, she did not discuss the content of other institutions but focused on domestically produced TV drama to highlight PSB’s societal functions. On the basis of two illustrative cases (*Taxa* and *Better Times*, both produced by Danmarks Radio and also transmitted in Sweden), she discussed how such content can offer viewers a “shared frame of reference” (p.163) about important values. She argued that PSM is able to construct a framework narrative about the country, even though drama productions are forced to accommodate international trends and are increasingly standardised in approaches and structure.

Another attempt to connect PSM to the commons was undertaken by Jay Blumler and Stephen Coleman (2001), and further elaborated by Coleman (2002). These British researchers envisioned an interactive communication platform via the internet providing universal access for diverse news content, considered essential to enable a national conversation about “who we are, how we live, and what we want from the future” (Coleman 2002: 89). They called this platform a “civic commons” and described it as a space “designed to enable and organise consultation and deliberation between citizens and political institutions over issues of public policy” (Coleman 2002: 97). Its main tasks would be to promote, publicise, regulate, moderate, summarise, and evaluate content from all media (Coleman 2002: 98).

Whereas the focus of Murdock and From was on the intangible cultural commons that PSM (and other institutions) provide, Coleman’s approach draws attention to organisational elements. The civic commons needs to be constitutionally connected, he argued (2002: 98). It should be managed by an independent agency, funded by government, and accountable to the public. Although convinced this role is tailored to PSM, he underlined the need for organisational transformation to facilitate the realisation of the civic commons in practice (Coleman 2002: 10-14). Instead of a national institution that transmits content in top-down fashion, creating distance between viewers and politics, he argued that PSM should be interactive to offer a democratic space for deliberation.

Various obstacles hinder PSM from becoming a commons as understood in this light. Phil Ramsey (2013: 870) investigated whether media regulation leaves room for the BBC to become a civic commons online. Based on analysis of parameters specified in the Online Services License (2012) of the BBC Trust, he concluded the license offers such opportunities but pressure from commercial rivals is especially problematic for its realisation (Ramsey 2013: 870, 874-875). Karl Knapskog (2010: 56) addressed obstacles when discussing the development of digital archives: “[...] although access to audio-visual archives may well be said to constitute a legitimate cultural right for citizens [...], the idea [...] is bound to stand in opposition to the interests of rights holders, revenue for the creators, and commercial exploitation of archive resources.”

Alfred Hermida (2010) concluded that the paternalistic, top down heritage PSB ethos was an obstacle for civil society participation in the BBC's Action Network.

This review illustrates the lack both of an agreed description and way to analyse PSM from the commons perspective. The concept has been used to address different issues regarding the organisation, content, activities, and affects of PSM. Most often, such work has highlighted the M in PSM to emphasise new possibilities to be interactive and more engaged via the internet, although all agree that PSB contributed to the commons long before digitalisation and new media. When comparing these approaches with other literature about the commons concept, one finds boundaries that hinder PSM from becoming a commons in the fullest sense. There are inconsistencies and open questions that need to be addressed.

To begin, approaches that link PSM to the commons do not offer a consistent picture of institutional or geographic boundaries. As suggested, there are two ways to describe PSM from a commons perspective: 1) as an institution (alongside others) that contributes to and offers access to an intangible culture or knowledge commons, or 2) as a specific infrastructure that creates a shared space for public deliberation. The first perspective implies that the resources PSM delivers are shared across institutional and geographic borders. The second perspective implies that PSM should be a platform for a community, nominally within national borders, and therefore needs to collapse the boundaries between source and receivers.

While both approaches have appeal, some authors think it dangerous to set the boundaries of institutional or geographic borders so broadly. Moe (2011: 65) criticised the idea of connecting PSM with various other institutions because it might "lessen the concept's applicability in specific policymaking related to public service". Uzelman (2011: 294) warned that when the concept is used to describe institutions on the national or global level, the number of 'commoners' correspondingly expands. While Moe's warning highlights the need to define institutional characteristics for PSM to qualify as a commons, Uzelman's highlights the difficulty of including large groups (like a national audience) in decision-making processes about PSM. Furthermore, inconsistencies about PSM's boundaries indicate mounting difficulties in being national organisations in an increasingly global 'information society'.

There are also inconsistencies with authors who say that a "communication commons" should be separate from the state, and should not rely on commercial funding (e.g. Kidd 2003: 59). Concerning state influence, there is broad agreement that editorial freedom is a pre-requisite for PSM to achieve a genuinely public service, but it is difficult to imagine crafting any remit or ensuring a sustainable collective funding system without government involvement. PSM are typically non-profit organisations and for some commercial funding is forbidden by law. But there are many that have a commercial stream – if often organised as a semi-autonomous subsidiary like BBC Worldwide. So far unresolved, these inconsistencies highlight the importance of public control mechanisms and transparent decision-making processes in and for PSM.

A last inconsistency hinders achieving maximum openness for the commons, both in access to content and public participation. PSM struggles to reach these ideal conditions because rights holders and other actors want to commercially exploit their ownership of audio-visual resources and are therefore opposed to open access for all content and the introduction of creative commons licensing (Knapskog 2010: 56). Moreover, although PSM needs to be more open for participation, it must protect the credibility of news organisations. Thus, a balance between openness and reliable governance structures is needed.

A framework for examining PSM as commons

The thesis of this chapter is that the commons concept can be a powerful narrative for legitimating PSM by representing the enterprise as a societal alternative to corporate commercial media. There are two problems for making that happen, which need to be addressed. First, there is need for an agreed description and analysis of PSM from this perspective. Second, there are boundaries that won't be easily overcome by these organisations. While some might interpret these problems as restrictions on the explanatory power and usefulness of the commons approach for PSM, it can be argued that they are actually advantages because:

- A commons perspective highlights several issues regarding PSM that underline its systemic nature. While researchers normally look at a specific variable, this approach forces one to see the organisation, its content, and its impact on society as interdependent variables.
- The fact that the institutional characteristics of PSM only partly match the commons ideal highlights what is most crucial to address for institutional development. The boundaries are aspects that PSM needs to cross in order to increase legitimacy as civic organisations today.

Thus, we need a framework that systematically treats the issues highlighted by the commons perspective and the boundaries that require closer investigation and focused effort to resolve. I suggest five ways to look at PSM from a commons perspective and specify the boundaries of greatest significance in each. These are treated as layers of possibility. The boundaries are philosophical, structural and legal, and they address challenges for audience participation and the measurement of outcomes (or impact).

The first possibility to construct PSM from a commons perspective is from the angle of its *purpose and position in society*. This layer is about the normative basis of PSM and defines the public resources it should provide – not only those that are provided to facilitate operations. Suggestions for connecting PSM with other institutions that also produce and archive culture and knowledge are pertinent here, as well. In this layer we find a **philosophical boundary** between perceptions that are based either on economic or civic foundations. While PSM is often described in economic terms as

a corrective for market failure, the commons approach would imply a narrative that prioritises PSM as a civic institution – as the central node in a network that continually produces the “cultural commons” (Murdock 2005). When dealing with this first layer, researchers and practitioners address the way PSM is thought of and talked about.

A second possibility is to highlight PSM’s *organisational structure*. This layer is about constitutive institutional characteristics of PSM and the roles played by different actors. In the literature, PSM as commons is defined as a collectively funded, non-profit platform, accountable to the public – the commoners – that is organised by the state but editorially independent. PSM is supposed to be an alternative to commercial media due to the perceived importance of its role in ensuring a strong civic foundation and non-profit orientation. There are two **structural boundaries** in this layer. First, PSM could be too close to the state or to commercial interests to accomplish its purposes as a commons. Stable collective funding, under attack in many countries, is necessary for sustainability. Second, all commoners must have the right to participate in constitutive decision-making processes, which implies mechanisms are necessary to accomplish this. So when dealing with this layer, researchers and practitioners must simultaneously address how state and commercial influence can be minimised and how civic influence can be maximised.

A third possibility is to look at PSM with a focus on the *process of content creation* – the ‘daily business’ of the enterprise. At issue is how the content delivered by PSM is produced, and by whom. With the rise of digital platforms PSM is especially challenged to achieve greater openness and opportunities for public participation in the process of content creation. At the same time, PSM organisations have a mission that requires them to deliver a high standard of quality in content. The balance between professionalism and participation (Van Vuuren 2008), or between transmission and interaction (Coleman 2002), requires significant adjustment. In this layer, we therefore find a **participation boundary**. The “tragedy of the commons” lurks at both ends of the participatory spectrum: While too much openness attracts problematic behaviour and creates complications, a lack of participation misses the potential for the civic commons. Researchers and practitioners dealing with this layer must address possibilities for the audience to contribute in content production and public discourse. They must also find governance solutions for collapsing distinctions between source and receiver, but at the same time prevent antisocial behaviour that can damage credibility.

A fourth possibility for looking at PSM from a commons perspective is to address the question of *access to content*. In analogue times, universal open access was an important goal of PSB – a goal typically achieved. Research describing PSM as a commons aligns with this in focusing on possibilities to provide universal on-demand access to audio-visual content and digital archives. But there are questions about transnational open access in the light of restrictions linked with intellectual property rights. In this layer we therefore find a **legal boundary** that threatens the enclosure of content. Researchers and practitioners addressing this layer must deal with questions

about how to harmonise access to content as a civic right with commercial interests of rights holders, and therefore need to create a revenue model to offer producers a fair and sustainable income.

A fifth possibility to look at PSM from a commons perspective is to talk about what Ostrom calls the “*outcome*”, meaning the richness of the commons and its impact on society. In the case of PSM, a desirable outcome would be an institutional design and governance that complies with requirements of the previous four layers. Additionally, the goals specified by Coleman (2002), From (2004) and Murdock (2009) are important here: citizens will be well informed and knowledgeable, they can take part in deliberative processes, and will have a “shared frame of reference” about what is important for their society. In this layer, we therefore find an **assessment boundary** in the need to measure whether PSM is fulfilling a commons “function”. Researchers and practitioners dealing with this layer therefore need an integrated measurement instrument to evaluate PSM as a commons. Assessment would need to include both the degrees to which a PSM organisation has fulfilled the requirements of its remit, and outcomes as its service activities have impacted society.

Crossing institutional and conceptual boundaries

This chapter argues for the commons concept as a potentially powerful narrative in efforts to legitimate PSM. I have highlighted institutional practices that contradict the notion and suggest five ways to look at PSM from a commons perspective that could help to overcome the contradictions. If we apply the layers of the proposed framework in a comparative setting, one finds some PSM organisations are closer to the commons ideal in practice than others. While Sweden’s SVT is funded entirely by the public and therefore resembles a commons in the second layer, other PSM organisations have a considerable share of commercial funding. While Australia’s ABC allows their viewers to upload content on their website, other PSM organisations have not yet crossed this participation boundary in the third layer. While the BBC iPlayer is not accessible outside Britain, most programs of Germany’s ARD and ZDF can be watched online even with a foreign IP address, in conformance with the commons in our fourth layer.

These examples demonstrate both that PSM organisations in various contexts feature constitutive characteristics of a commons, and also the variable nature of accomplishment to date. All of these institutions have weaknesses in some of the prescribed layers and will have to address the obstacles described in this chapter, which have general significance.

It is crucial to understand that the commons concept can be a convincing basis for legitimating the public service enterprise today, but it will not work if the concept is only used as a rhetorical device. If PSM attempts to use this as a narrative without making the necessary operational changes to accomplish the commons ideals in practice, the concept will be nothing more than a ploy and that will ultimately dam-

age institutional credibility. Challenging practical work is therefore required of every institution in the sector, although the particularity of challenges and needs will vary.

Aside from institutional boundaries, this chapter also addressed conceptual boundaries that prevent the commons from being recognised as a potential narrative for PSM in research and practice. Further, the conceptual boundaries not only challenge practitioners, researchers and policy makers, but also viewers, listeners and users. As mentioned at the beginning of this chapter, the commons should be understood as “a resource shared by a group where the resource is vulnerable to enclosure, overuse and social dilemmas” (Hess 2008: 37). This perspective does not address users as individuals, but rather as a group that is collectively responsible for ensuring the resource is shared. Instead of being receivers of a public service, citizens are depicted as “commoners”. This view challenges the typical view of ‘audiences’ because one must think of PSM as a platform of shared civic tools conceived in broader terms than their immediate private interests typically encourage.

To conclude, the commons concept offers a powerful narrative to legitimate PSM in the digital age. It also highlights boundaries that need to be crossed in order to reach the ideal in practice. The concept invites us to think about PSM as a civic alternative in an increasingly commercialised information environment and addresses key issues in a systemic way. Our discussion goes to the heart of PSM today and illuminates vital challenges for its accomplishment – all of which involve requirements for crossing boundaries of many and varied types.

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